



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/019,101

12/20/2001

Clifford Lee Hannel

AP3545US

8647

7590

08/28/2006

CARR & FERRELL LLP
2200 Geng Road
Palo Alto, CA 94303

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/019,101	Applicant(s) HANNEL ET AL.	
	Examiner Etienne P LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/24/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Status

Claims 1-14 are pending. Claims 1-14 are rejected as detailed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 includes “an interface apparatus” in the preamble. The specification does not contain a clear and concise description of the manner and process of making an “interface apparatus” such that a skilled technician can make and use the invention. Examiner searched the specification and did not find a single reference to “an interface apparatus.” Examiner carefully considered Applicant’s response dated 7/24/2006 regarding the above rejection of “an interface apparatus.” Applicant explained that “an interface apparatus” can be interpreted as a browser. Examiner is not persuaded that a “browser” is apparatus, but nevertheless will adopt Application’s interpretation of “an interface apparatus.”

Claim 1 recites “an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row.” The specification does not contain a clear and concise description of the manner and process of making an “information source” such that a skilled technician can make and use the invention. Examiner searched the specification and found the only reference to an “information source” under the heading of “Dossiers.” It is unclear whether “Dossiers” relates to the claimed invention. Examiner carefully considered Applicant’s response dated 7/24/2006 regarding the above rejection of “an information source” and as best examiner can ascertain from Applicant’s confusing explanation, an information source can be interpreted as a table. This raises another issue which is addressed below.

Claim 1 recites “virtual database service.” The specification does not contain a clear and concise description of the manner and process of making the claimed “virtual database service.” As best examiner is able to ascertain the following description taken from the first paragraph of page 99, is the best description of the claimed “virtual database service.”

Examiner has carefully considered Applicant’s response of July 24, 2006 but is not persuaded that the inventor had possession of the invention at the time of filing instant application, with particular respect to the claimed virtual database table and a virtual database service. In above response, Applicant describes what is a “real relational database table” but does not point to the specification for a description of a “virtual database table.”

Claim 1 recites “the virtual database service comprising the virtual database table wherein the virtual database table comprises one or more rows each of the one or more rows comprising one or more fields.” The specification does not contain a clear and concise

Art Unit: 2161

description of the manner and process of making the claimed “virtual database table” such that a skilled artisan can make and use the invention. Examiner is not persuaded by Applicant’s response of 7/24/2006 because Applicant fails to clearly point to references in the support for support for the claimed “virtual database service” and “virtual database table.”

Claim 1 recites “an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row, wherein the virtual database service is configured to receive the query.” The specification does not contain a clear and concise description of the manner and process of making the claimed invention because claim 1 claims a virtual database table receives a query and claim 1 also claims an information source receives a query. The specification does not clearly explain what difference, if any, exists between the information source and the virtual database table. Furthermore, the specification does not clearly explain why a virtual database table is queried and why in addition, an information source is queried. Evidently, both the virtual database table and the information comprise one or more rows which suggests that there is **no** (emphasis added) between the virtual database table and the information source. Examiner bases above conclusion on disclosure in the specification and information provided by Applicant in Applicant’s response of 7/24/2006.

Claims 2-14 are rejected for at least being dependent from a rejected base claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "an interface apparatus" in the preamble and then in the body of the claim recites "a virtual database service." Applicant states in the second paragraph of response dated 7/24/2006 that a "virtual service" can be an apparatus such as a browser. Examiner disagrees. A browser is defined as "software that lets a user view HTML documents and access files and software related to those documents."¹ The claimed invention is indefinite as it is unclear how software can be defined as an "interface apparatus."

Claims 2-14 are rejected for being dependent from a rejected base claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,634,053 issued to Noble et al (hereafter Noble), as best examiner is able to ascertain.

Claim 1:

Noble discloses:

¹ Microsoft Computer Dictionary Fifth Edition

Art Unit: 2161

a virtual database service [col 4, line 63 through col 5, line 3], the virtual database service comprising the virtual database table [col 5, lines 18-25], wherein the virtual database table comprises one or more rows records, col 5, line 20], each of the one or more rows comprising one or more fields [col 5, line 21],

an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row [col 5, line 60 – col 6, line 15],

wherein the virtual database service is configured to receive the query, respond to the field name and the indication of the manner for selecting a row as required to obtain the information to be provided from the information source, and providing the information as a value of the field indicated by the field name in the selected row in response to the query [col 5, line 60 – col 6, line 15]

wherein the information source comprises an access evaluator, the access evaluator configured to determine whether a user may have access to an information resource within the information source [col 3, lines 15-35]

Claim 2:

Noble discloses a manner of selecting a row includes a selection value; and the information source provides a component of the information to be provided in response to a match between the selection value and a pattern that matches a plurality of values and is accessible to the information source [col 10, lines 20-25]

Claim 4:

Noble discloses the information source is an access evaluator which determines whether a user may have access to an information resource; the manner of selecting the row includes information from which the user and the information resource may be determined; and the provided information includes an indication of whether the user determined from the information may access the information resource determined therefrom [col 12, lines 48-55]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of The Coldfusion 4.0 Web Application Construction Kit, Third Edition by Ben Forta, Nate Weiss,

Art Unit: 2161

Michael Dinowitz, Ashley King and Davis Crawford (hereafter Forta), Published December 23, 1998.

Claim 3:

Noble discloses the elements of claim 1 as noted above but does not disclose wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query. Forta discloses wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query [Listing 8.6 and Fig 8.20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query as taught by Forta for the purpose of selecting a table and filtering out the rows which are not of interest.

Claims 5-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,504,890 issued to Sanford (hereafter Sanford).

Claim 5:

Noble discloses the elements of claim 1 as noted above but does not disclose the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource

Art Unit: 2161

being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined. Sanford discloses the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined [collaboration amongst contributors, col 2, lines 11-23]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined as taught by Noble for the purpose of controlling access such data consistency can be maintained.

Claim 6:

The combination of Noble and Sanford discloses the elements of claims 1 and 5 as noted above and furthermore discloses the access evaluator uses the membership information to determine membership of the user in a user group [Sanford: Fig 8, col 12, lines 4-16].

Claim 7:

The combination of Noble and Sanford discloses the elements of claims 1, 5 and 6 as noted above and furthermore discloses the access evaluator determines that there may be a user group such that membership in the user group would give the user access to the information resource; and the provided information indicates a method of providing further information about the user in a further query from which the user's membership in the user group can be determined [Sanford: collaboration identification, col 7, lines 20-23].

Claim 8:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-7 as noted above and furthermore discloses the further information includes authentication information which may be used to validate the user's identity [Sanford: collaboration identity, col 7, lines 20-23].

Claim 9:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-8 as noted above and furthermore discloses an additional information source that is an authenticator, the authenticator using the authentication information to validate the user's identity [Sanford: another collaboration identification, col 12, lines 35-41].

Claim 10:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-9 as noted above and furthermore discloses the response to the further query provides an indication whether the user's identity is valid [Sanford: Fig 8, col 12, lines 4-17].

Claim 12:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above and furthermore discloses an additional information source that is an authenticator which validates the identity of the user; the authenticator uses the membership information to validate the identity of the user; the access evaluator determines membership of the user in a user group only after the authenticator has validated the user's identity [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 13:

The combination of Noble and Sanford discloses the elements of claims 1 and 4 as noted above and furthermore discloses an additional information source that is an authenticator which validates an identity of the user; the manner of selecting the row includes authentication information which the authenticator uses to validate the user's identity; and the provided information is obtained at least in part from the authenticator and includes an indication of whether the user's identity is valid [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,115,501 issued to Kerr (hereafter Kerr).

Claim 14:

Noble discloses the elements of claims 1 and 4 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information. Kerr discloses an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information [Fig 6]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information as taught by Kerr for the purpose of customization of the search query.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Noble and Sanford and further in view of US Pat No 5,748,890 issued to Goldberg et al (hereafter Goldberg).

Claim 11:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile: information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group. Goldberg discloses an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile: information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group [user's role, claim 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Noble and Sanford to include an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile: information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group as taught by Goldberg for the purpose of providing additional means of authenticating a user within a user's group.

Response to Arguments

Applicant's arguments filed 7/24/2006 have been fully considered but are not persuasive for the following reasons.

Applicant Argues:

Applicant states in the second paragraph of page 11:

The Applicants respectfully request the examiner confirm the entry of the amendments to the Cross-Reference section while recognizing the examiner's assertion that this claim does not support the presently claimed "interface apparatus." The Applicants refrain from further comments as to the Examiner's assertions in this regard as the Examiner's premise is not presently ripe for discussion.

Examiner Responds:

Examiner is not persuaded. Applicant has misconstrued examiner's assertion that "[t]he above claimed priority dates will not be granted because above applications do not support the claim limitation, "an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source." he examiner maintains the referenced applications do not support the present claim limitation "an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source." Examiner is confused by Applicant's statement that "the claim does not support the presently claimed interface apparatus." Furthermore, Applicant is requested to provide a reference to the MPEP section which allows Applicant to defer response because the subject matter is not "presently ripe for discussion." The above claimed priority dates will not be granted because above priority applications do not support the claimed "an interface apparatus

for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source.”

Applicant Argues:

Noble et al does not disclose “an access evaluator configured to determine whether a user may have access to an information resource within the information source” that evaluator being comprised in the information source. The Applicants note that this particular element was originally found in previously pending claim 4 and has been introduced to the present claim through the present amendment.

Examiner Responds:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that evaluator being comprised in the information source) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

However, for the sake of completeness of the record, examiner will consider the newly added claim 1 limitation “wherein the information source comprises an access evaluator, the access evaluator configured to determine whether a user may have access to an information resource within the information source.”

The claim limitation is not specific because of the word “may.” May is defined as possibility or likelihood.² It is unclear whether access is actually granted or whether there are

² Webster's New World College Dictionary, Fourth Edition

Art Unit: 2161

other unspecified conditions that also pertain to the granting of access. Furthermore, it is difficult to determine what happens when access is not granted.

Examiner maintains the following disclosure by Noble reads on “an access evaluator configured to determine whether a user may have access to an information resource within the information source”

Hughes discloses the following in column 3, lines 5-40:

19 The present invention seeks to provide a **Federated Information Management (FIM) system** and method for efficiently and truly integrating data from a plurality of interconnected and heterogeneous local databases to provide users with access to a virtual database.

19

This is accomplished with a FIM architecture that includes a user interface for **generating a global query** to search the virtual database and for selecting an i/o format, a smart data dictionary (SDD) that contains configuration data for each of the local databases and the virtual data base, a data information manager (DIM) that decomposes the global query into multiple local queries, and a plurality of local information managers (LIMs) that execute the local queries to search for and retrieve data from the local databases.

20

To improve search efficiency, a **filter generates a list of those local databases** that contain information relevant to the global query. As a result, the DIM only generates local queries for the enumerated local databases. In practice, only a small percentage of the databases in a network will contain data for a particular global query. Thus, the filter substantially increases search efficiency and reduces the chance that the system will hang up.

21

To increase the completeness of the search, an **input translator** is provided which translates the global query into the respective local formats for the local databases. As a result, the local queries will find and retrieve all of the relevant data requested by the user, not just the data that is represented in the exact same format as the global query. Thus, the input translator provides true integration of heterogeneous databases.

Hughes discloses the following in column 12, lines 40-65:

61 The **Smart Data Dictionary (SDD) Server 18** contains information such as: schema; data distribution; sites configuration; domain knowledge; and, inter-site relationships. The SDD 18 itself is a database containing meta-data that can be used to support the DIM 20 and the LIM 22 in processing the queries. SDD data storage may be accomplished by a UNIX file system or an Object-Oriented DataBase Management System (OODBMS) such as ITASCA.

61

The **SDD server 18 supports requests to access the SDD's meta-data** stored in a UNIX file system from a remote site. DIM 20 and LIM 22 may access the SDD server 18 remotely to retrieve meta-data for parsing,

Art Unit: 2161

translating, optimizing, and coordinating the global and local queries. In FIG. 1, the SDD server 18 acts as a replacement for the knowledge-based manager for SDD that stores in a UNIX file system.

62

The SDD contains meta-data such as: data distribution information, schema description, and FIM system configuration. The DIM uses the schema and data distribution to generate the execution plans. The LIM uses the schema to perform local queries and map local queries to other sites. Caching the meta-data at the processing site will greatly reduce the communication and accessing cost. For example, using Cache Memory Management (CMM) 52, DIM 20 can access and cache the relevant data which might be used by the next query. This will eliminate unnecessary communication with the SDD 18 for retrieving the schema. Each LIM 22, DIM 20, and SDD server 18 uses the same CMM. FIG. 6 illustrates the CMM and the SDD server architecture.

63

Specifically, all access to the SDD schema is done through the CMM which holds in memory the schema for the most recently used relations. If the data is not in the cache memory, CMM transparently retrieves the relation locally (i.e., from a file or DBMS) or from another remote server, or both. Requests to the cache can either be for specific relations (such as relation name, field ID, number of fragments, etc.) or for entire schema. For efficiency reasons, the DIM and LIMs usually load the schema for all relations used in a query during the initialization hierarchy representing a sub-tree from the global view starting at a specific level. The cache may use a linear search to access information, and be built using a modular architecture which allows easy replacement of the algorithms to search the cache and selectively swap out candidates with more elaborate ones. The time of last use, the time brought into cache, and the number of times accessed are maintained for each cache entry to support such algorithms. The amount of memory used by the cache is a function of the number of relations it is holding. However, the maximum number of relations which it can hold must be specified when initializing the cache.

Examiner maintains that above highlighted features read on the claimed "access evaluator."

Applicant Argues:

Applicant states in the first paragraph of page 19 "With respect to Sanford, the examiner references column 2, lines 11-23. See Office Action 9. This portion of Sanford, however fails to disclose the presently claimed access evaluator."

Examiner Responds:

Examiner is not persuaded. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Art Unit: 2161

Reference to the above Office Action will show that Sanford was used to reject the claim 5 limitation “the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined.” For rejection of the claimed “access evaluator” Applicant is referred to above response by examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

8/23/2006

Claim Status

Claims 1-14 are pending. Claims 1-14 are rejected as detailed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 includes “an interface apparatus” in the preamble. The specification does not contain a clear and concise description of the manner and process of making an “interface apparatus” such that a skilled technician can make and use the invention. Examiner searched the specification and did not find a single reference to “an interface apparatus.” In addition, examiner carefully considered Applicant’s response dated 7/24/2006 regarding above rejection of “an interface apparatus.” Applicant explained that a browser can be interpreted as “an interface apparatus.” One of ordinary skill in the art would understand that a browser is software and not hardware. Interpreting a “browser” as a device, i.e., apparatus, in order to comply with the claim language “an interface apparatus” renders claim 1 indefinite.

Claim 1 recites “an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row.” The specification does not contain a clear and concise description of the manner and process of making an “information source” such that a skilled technician can make and use the invention. Examiner searched the specification and found the only reference to an “information source” under the heading of “Dossiers.” It is unclear whether “Dossiers” relates to the claimed invention. In addition, examiner carefully considered Applicant’s response dated 7/24/2006 regarding the above rejection of “an information source” and as best examiner can ascertain from Applicant’s confusing explanation, is that an information source can be interpreted as a table. This raises another issue which is addressed below.

Claim 1 recites “virtual database service.” The specification does not contain a clear and concise description of the manner and process of making the claimed “virtual database service.” Examiner has carefully considered Applicant’s response of July 24, 2006 but is not persuaded that the inventor had possession of the invention at the time of filing instant application, with particular respect to the claimed virtual database table and a virtual database service. In above response, Applicant describes what is a “real relational database table” but does not point to the specification for a description of a “virtual database table” and “virtual database service.”

Claim 1 recites “the virtual database service comprising the virtual database table wherein the virtual database table comprises one or more rows each of the one or more rows comprising one or more fields.” The specification does not contain a clear and concise description of the manner and process of making the claimed “virtual database table” such that a skilled artisan can make and use the invention. Examiner is not persuaded by Applicant’s

response of 7/24/2006 because Applicant fails to clearly point to references in the support for support for the claimed “virtual database service” and “virtual database table.”

Claim 1 recites “an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row, wherein the virtual database service is configured to receive the query.” The specification does not contain a clear and concise description of the manner and process of making the claimed invention because claim 1 claims a virtual database table receives a query and claim 1 also claims an information source receives a query. The specification does not clearly explain what difference, if any, exists between the information source and the virtual database table. Furthermore, the specification does not clearly explain why a virtual database table is queried and why in addition, an information source is queried. Evidently, both the virtual database table and the information comprise one or more rows which suggests that there is **no** (emphasis added) between the virtual database table and the information source. Examiner bases above conclusion on disclosure in the specification and information provided by Applicant in Applicant’s response of 7/24/2006.

Claims 2-14 are rejected for at least being dependent from a rejected base claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “an interface apparatus” in the preamble and then in the body of the claim recites “a virtual database service.” Applicant states in the second paragraph of response dated 7/24/2006 that a “virtual service” can be an apparatus such as a browser. Examiner disagrees. A browser is defined as “software that lets a user view HTML documents and access files and software related to those documents.”¹ The claimed invention is indefinite as it is unclear how software can be included in “interface apparatus.”

Claims 2-14 are rejected for being dependent from a rejected base claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,634,053 issued to Noble et al (hereafter Noble), as best examiner is able to ascertain.

Claim 1:

Noble discloses:

a virtual database service [col 4, line 63 through col 5, line 3], the virtual database service comprising the virtual database table [col 5, lines 18-25], wherein the virtual database table comprises one or more rows records, col 5, line 20], each of the one or more rows comprising one or more fields [col 5, line 21],

¹ Microsoft Computer Dictionary Fifth Edition

Art Unit: 2161

an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row [col 5, line 60 – col 6, line 15],

wherein the virtual database service is configured to receive the query, respond to the field name and the indication of the manner for selecting a row as required to obtain the information to be provided from the information source, and providing the information as a value of the field indicated by the field name in the selected row in response to the query [col 5, line 60 – col 6, line 15]

wherein the information source comprises an access evaluator, the access evaluator configured to determine whether a user may have access to an information resource within the information source [col 3, lines 15-35]

Claim 2:

Noble discloses a manner of selecting a row includes a selection value; and the information source provides a component of the information to be provided in response to a match between the selection value and a pattern that matches a plurality of values and is accessible to the information source [col 10, lines 20-25]

Claim 4:

Noble discloses the information source is an access evaluator which determines whether a user may have access to an information resource; the manner of selecting the row includes information from which the user and the information resource may be determined; and the provided information includes an indication of whether the user determined from the information may access the information resource determined therefrom [col 12, lines 48-55]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of The Coldfusion 4.0 Web Application Construction Kit, Third Edition by Ben Forta, Nate Weiss, Michael Dinowitz, Ashley King and Davis Crawford (hereafter Forta), Published December 23, 1998.

Claim 3:

Noble discloses the elements of claim 1 as noted above but does not disclose wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE

Art Unit: 2161

clause in the query. Forta discloses wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query [Listing 8.6 and Fig 8.20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query as taught by Forta for the purpose of selecting a table and filtering out the rows which are not of interest.

Claims 5-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,504,890 issued to Sanford (hereafter Sanford).

Claim 5:

Noble discloses the elements of claim 1 as noted above but does not disclose the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined. Sanford discloses the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of

Art Unit: 2161

information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined [collaboration amongst contributors, col 2, lines 11-23]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined as taught by Noble for the purpose of controlling access such data consistency can be maintained.

Claim 6:

The combination of Noble and Sanford discloses the elements of claims 1 and 5 as noted above and furthermore discloses the access evaluator uses the membership information to determine membership of the user in a user group [Sanford: Fig 8, col 12, lines 4-16].

Claim 7:

The combination of Noble and Sanford discloses the elements of claims 1, 5 and 6 as noted above and furthermore discloses the access evaluator determines that there may be a user group such that membership in the user group would give the user access to the information

Art Unit: 2161

resource; and the provided information indicates a method of providing further information about the user in a further query from which the user's membership in the user group can be determined [Sanford: collaboration identification, col 7, lines 20-23].

Claim 8:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-7 as noted above and furthermore discloses the further information includes authentication information which may be used to validate the user's identity [Sanford: collaboration identity, col 7, lines 20-23].

Claim 9:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-8 as noted above and furthermore discloses an additional information source that is an authenticator, the authenticator using the authentication information to validate the user's identity [Sanford: another collaboration identification, col 12, lines 35-41].

Claim 10:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-9 as noted above and furthermore discloses the response to the further query provides an indication whether the user's identity is valid [Sanford: Fig 8, col 12, lines 4-17].

Claim 12:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above and furthermore discloses an additional information source that is an authenticator which validates the identity of the user; the authenticator uses the membership information to validate the identity of the user; the access evaluator determines membership of the user in a user

Art Unit: 2161

group only after the authenticator has validated the user's identity [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 13:

The combination of Noble and Sanford discloses the elements of claims 1 and 4 as noted above and furthermore discloses an additional information source that is an authenticator which validates an identity of the user; the manner of selecting the row includes authentication information which the authenticator uses to validate the user's identity; and the provided information is obtained at least in part from the authenticator and includes an indication of whether the user's identity is valid [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,115,501 issued to Kerr (hereafter Kerr).

Claim 14:

Noble discloses the elements of claims 1 and 4 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information. Kerr discloses an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided

Art Unit: 2161

information is obtained at least in part from the profile information source and includes the profile information [Fig 6]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information as taught by Kerr for the purpose of customization of the search query.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Noble and Sanford and further in view of US Pat No 5,748,890 issued to Goldberg et al (hereafter Goldberg).

Claim 11:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile: information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group. Goldberg discloses an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile: information

Art Unit: 2161

source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group [user's role, claim 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Noble and Sanford to include an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group as taught by Goldberg for the purpose of providing additional means of authenticating a user within a user's group.

Response to Arguments

Applicant's arguments filed 7/24/2006 have been fully considered but are not persuasive for the following reasons.

Applicant Argues:

Applicant states in the second paragraph of page 11:

The Applicants respectfully request the examiner confirm the entry of the amendments to the Cross-Reference section while recognizing the examiner's assertion that this claim does not support the presently claimed "interface apparatus." The Applicants refrain from further comments as to the Examiner's assertions in this regard as the Examiner's premise is not presently ripe for discussion.

Examiner Responds:

Examiner is not persuaded. Applicant has misconstrued examiner's assertion that "[t]he above claimed priority dates will not be granted because above applications do not support the claim limitation, "an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source." he examiner maintains the referenced applications do not support the present claim limitation "an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source." Examiner is confused by Applicant's statement that "the claim does not support the presently claimed interface apparatus." Furthermore, Applicant is requested to provide a reference to the MPEP section which allows Applicant to defer response because the subject matter is not "presently ripe for discussion." The above claimed priority dates will not be granted because above priority applications do not support the claimed "an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source."

Applicant Argues:

Noble et al does not disclose "an access evaluator configured to determine whether a user may have access to an information resource within the information source" that evaluator being comprised in the information source. The Applicants note that this particular element was originally found in previously pending claim 4 and has been introduced to the present claim through the present amendment.

Examiner Responds:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that evaluator being comprised in the information source) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In fact, per amended claim 1, "the access evaluator [is] configured to determine whether a user may have access to an information source."

However, for the sake of completeness of the record, examiner will consider the newly added claim 1 limitation "wherein the information source comprises an access evaluator, the access evaluator configured to determine whether a user may have access to an information resource within the information source."

The claim limitation is not specific because of the word "may." May is defined as possibility or likelihood.² It is unclear whether access is actually granted or whether there are other unspecified conditions that also pertain to the granting of access. Furthermore, it is difficult to determine what happens when access is not granted.

During prosecution of an application, the examiner's responsibility is simply to carefully evaluate the disclosure and give claims their broadest reasonable interpretation in light of that disclosure. This approach provides Applicant with the opportunity to clarify their intended scope of coverage through amendment or by providing factual evidence on the record why the examiner's position is unreasonably broad.

² Webster's New World College Dictionary, Fourth Edition

When determining the broadest reasonable interpretation of the claims being examined, examiner should consider an explicit and deliberate definition in the specification which carries through to the claims and limits the claims to the explicit and deliberate definition in the specification. In response of 7/24/2006, Applicant failed to point to the specification for an explicit and deliberate definition of "access evaluator." At best, Applicant has provided intrinsic evidence which does not limit the claims to the examples provided, but instead sets forth things which are clearly intended to be covered by what is claimed and may set forth items which are not intended to be covered. Absent of an "explicit and deliberate " definition of "access evaluator" the words will be interpreted in the context of the claims themselves, dictionary definitions (specialized and generic) and according to the level of ordinary skill in the art, i.e., from treatises, a search of the prior art and other specialized information sources" to ensure that the claim language is given its broadest reasonable interpretation.

Examiner maintains the following disclosure by Noble reads on "an access evaluator configured to determine whether a user may have access to an information resource within the information source"

Hughes discloses the following in column 3, lines 5-40:

The present invention seeks to provide a **Federated Information Management (FIM) system** and method for efficiently and truly integrating data from a plurality of interconnected and heterogeneous local databases to provide users with access to a virtual database.

19

This is accomplished with a FIM architecture that includes a user interface for **generating a global query** to search the virtual database and for selecting an i/o format, a smart data dictionary (SDD) that contains configuration data for each of the local databases and the virtual data base, a data information manager (DIM) that decomposes the global query into multiple local queries, and a plurality of local information managers (LIMs) that execute the local queries to search for and retrieve data from the local databases.

20

To improve search efficiency, a **filter generates a list of those local databases** that contain information relevant to the global query. As a result, the DIM only generates local queries for the enumerated local databases. In practice, only a small percentage of the databases in a network will contain data for a

Art Unit: 2161

particular global query. Thus, the filter substantially increases search efficiency and reduces the chance that the system will hang up.

21

To increase the completeness of the search, an **input translator** is provided which translates the global query into the respective local formats for the local databases. As a result, the local queries will find and retrieve all of the relevant data requested by the user, not just the data that is represented in the exact same format as the global query. Thus, the input translator provides true integration of heterogeneous databases.

Hughes discloses the following in column 12, lines 40-65:

The **Smart Data Dictionary (SDD) Server 18** contains information such as: schema; data distribution; sites configuration; domain knowledge; and, inter-site relationships. The SDD 18 itself is a database containing meta-data that can be used to support the DIM 20 and the LIM 22 in processing the queries. SDD data storage may be accomplished by a UNIX file system or an Object-Oriented DataBase Management System (OODBMS) such as ITASCA.

61

The **SDD server 18 supports requests to access the SDD's** meta-data stored in a UNIX file system from a remote site. DIM 20 and LIM 22 may access the SDD server 18 remotely to retrieve meta-data for parsing, translating, optimizing, and coordinating the global and local queries. In FIG. 1, the SDD server 18 acts as a replacement for the knowledge-based manager for SDD that stores in a UNIX file system.

62

The SDD contains meta-data such as: data distribution information, schema description, and FIM system configuration. The DIM uses the schema and data distribution to generate the execution plans. The LIM uses the schema to perform local queries and map local queries to other sites. Caching the meta-data at the processing site will greatly reduce the communication and accessing cost. For example, using Cache Memory Management (CMM) 52, DIM 20 can access and cache the relevant data which might be used by the next query. This will eliminate unnecessary communication with the SDD 18 for retrieving the schema. Each LIM 22, DIM 20, and SDD server 18 uses the same CMM. FIG. 6 illustrates the CMM and the SDD server architecture.

63

Specifically, all access to the SDD schema is done through the CMM which holds in memory the schema for the most recently used relations. If the data is not in the cache memory, CMM transparently retrieves the relation locally (i.e., from a file or DBMS) or from another remote server, or both. Requests to the cache can either be for specific relations (such as relation name, field ID, number of fragments, etc.) or for entire schema. For efficiency reasons, the DIM and LIMs usually load the schema for all relations used in a query during the initialization hierarchy representing a sub-tree from the global view starting at a specific level. The cache may use a linear search to access information, and be built using a modular architecture which allows easy replacement of the algorithms to search the cache and selectively swap out candidates with more elaborate ones. The time of last use, the time brought into cache, and the number of times accessed are maintained for each cache entry to support such algorithms. The amount of memory used by the cache is a function of the number of relations it is holding. However, the maximum number of relations which it can hold must be specified when initializing the cache.

Examiner maintains that above highlighted features read on the claimed "access evaluator."

Art Unit: 2161

Applicant Argues:

Applicant states in the first paragraph of page 19 “With respect to Sanford, the examiner references column 2, lines 11-23. See Office Action 9. This portion of Sanford, however fails to disclose the presently claimed access evaluator.”

Examiner Responds:

Examiner is not persuaded. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Reference to the above Office Action will show that Sanford was used to reject the claim 5 limitation “the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined.” For rejection of the claimed “access evaluator” Applicant is referred to above response by examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2161

Etienne LeRoux

8/24/2006

E P LeRoux

Primary Examiner